



U.S. Department of Justice **FILED**  
N CLERKS OFFICE

*Michael J. Sullivan*

United States Attorney <sup>2006</sup> MAR 24 P 4:07  
District of Massachusetts

U.S. DISTRICT COURT  
~~DISTRICT OF MASS~~

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, Massachusetts 02210

March 23, 2006

James M. Merberg, Esq.      Joseph S. Oteri, Esq.  
76 Long Wharf                  20 Park Plaza  
Boston, MA 02110                Boston, MA 02116

Elliot Weinstein, Esq.      Roger Witkin, Esq.  
228 Lewis Wharf                6 Beacon Street  
Boston, MA 02110                Boston, MA 02108

Scott Lopez, Esq.            William M. White, Esq.  
24 School Street                1 Faneuil Hall  
Boston, MA 02108                Boston, MA 02109

Re: United States v. Maggio, et al.  
Criminal No. 04-10231-MLW

Dear Counsel:

As expressed in my letter dated October 25, 2005, a computer was found in co-defendant Peter Maggio's vehicle when it was impounded upon his arrest on December 15, 2000, in connection with another case. The Government advised that, with permission of Maggio, it would copy the hard drive and make a copy available to the defense.

That was accomplished in December 2005, and it appears that nothing of substance was contained on the computer. More particularly, nothing of substance relating to the present prosecution was on the computer. In any event, whatever was contained on the computer has been duplicated and delivered to defense counsel. Counsel for Maggio has requested that the computer be released so that it may be used by a third party.

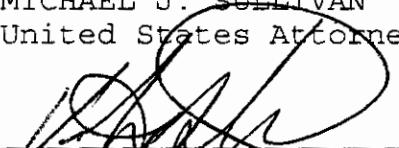
The Government has identified no legal or evidentiary basis for maintaining possession of the computer. Accordingly, it intends to release the computer to counsel for Maggio. If you have an objection to release of the computer, please advise the Government of the reasons which may compel continued possession by the Government. Assuming there is no objection, the Government intends to release the computer to counsel for Maggio on March 31, 2006.

Thank you for your attention to this matter.

Very truly yours,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
VICTOR A. WILD  
Assistant U.S. Attorney

cc: Dennis O'Leary  
Clerk to Judge Wolf